

Dennis F. Dunne (admitted *pro hac vice*)
MILBANK, TWEED, HADLEY & MCCLOY LLP
1 Chase Manhattan Plaza
New York, NY 10005-1413
Tel.: 212.530.5000
Fax: 212.530.5219
ddunne@milbank.com
dodonnell@milbank.com

Andrew M. Leblanc (admitted *pro hac vice*)
MILBANK, TWEED, HADLEY & MCCLOY LLP
1850 K Street, N.W., Suite 1100
Washington, DC 20006
Tel.: 202.835.7500
Fax: 202.263.7574
aleblanc@milbank.com

Daniel C. Stewart, SBT #19206500
Paul E. Heath, SBT #09355050
Richard H. London, SBT #24032678
VINSON & ELKINS LLP
2001 Ross Avenue, Suite 3700
Dallas, TX 75201
Tel: 214.220.7700
Fax: 214.220.7716
dstewart@velaw.com
pheath@velaw.com
rlondon@velaw.com

**ATTORNEYS FOR THE AD HOC
GROUP OF FIRST LIEN LENDERS**

Mitchell A. Seider, SBT #18000550
LATHAM & WATKINS LLP
885 Third Avenue
New York, NY 10022
mitchell.seider@lw.com

Michael R. "Buzz" Rochelle, SBT #17126700
Scott M. DeWolf, SBT #24009990
ROCHELLE MCCULLOUGH LLP
325 North Saint Paul St., Suite 4500
Dallas, TX 75201
buzz.rochelle@romclawyers.com
sdewolf@romclawyers.com

**ATTORNEYS FOR JP MORGAN CHASE
BANK, N.A. AS FIRST LIEN AGENT**

Jennifer C. DeMarco (admitted *pro hac vice*)
David A. Sullivan (admitted *pro hac vice*)
CLIFFORD CHANCE US LLP
31 West 52nd Street
New York, New York 10019-6131
Tel: 212.878.8000
Fax: 212.878.8375
jennifer.demarco@cliffordchance.com
david.sullivan@cliffordchance.com

Holland N. O'Neil, SBT #14864700
GARDERE WYNNE SEWELL LLP
1601 Elm Street, Suite 3000
Dallas, Texas 75201
Tel: 214.999.4961
Fax: 214.999.3961
honeil@gardere.com

**ATTORNEYS FOR GSP FINANCE LLC, AS SECOND
LIEN AGENT**

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION**

In re:	§	
	§	
TEXAS RANGERS BASEBALL	§	Case No. 10-43400 (DML)-11
PARTNERS	§	(Chapter 11)
	§	
Debtor.	§	

**MOTION FOR ORDER ALLOWING THE LENDER PARTIES TO FILE
UNDER SEAL THE EMERGENCY JOINT MOTION OF LENDER PARTIES FOR
RECONSIDERATION OF COURT'S ORDER ADOPTING BIDDING PROCEDURES**

TO THE HONORABLE D. MICHAEL LYNN, UNITED STATES BANKRUPTCY JUDGE:

The Ad Hoc Group of First Lien Lenders,¹ including Monarch Alternative Capital LP, GSP Finance LLC, Kingsland Capital Management, Sankaty Advisors, LLC, and Stonehill Capital Management LLC; JP Morgan Chase Bank, N.A. as the First Lien Agent; and GSP Finance LLC, as the Second Lien Agent (collectively, the “Lender Parties”) hereby file this motion (the “Motion to File Under Seal”) requesting that this Court enter an Order allowing them to file, under seal, an unredacted copy of the *Emergency Joint Motion of Lender Parties for Reconsideration of Court’s Order Adopting Bidding Procedures* (the “Motion”), and respectfully state as follows:

1. The Motion contains certain information that was produced in discovery and must be kept confidential pursuant to the *Stipulation and Order for the Protection and Exchange of Confidential Information* (the “Order Regarding Confidential Information,” Docket No. 348). Accordingly, a modified version of the Motion, redacting the confidential information, was filed contemporaneously with this Motion to File Under Seal (Docket No. ____).

2. Section 107(b) of the Bankruptcy Code provides courts with the power to issue orders that will protect entities from potential harm that may result from the disclosure of certain confidential information. This section provides, in pertinent part:

“On request of a party in interest, the bankruptcy court shall, and on the bankruptcy court’s own motion, the bankruptcy court may –

¹ Each in their capacity as lenders or managers of entities serving as lenders under the First Lien Credit Agreement.

(1) protect an entity with respect to a trade secret or confidential research, development, or commercial information”

11 U.S.C. § 107(b).

3. Bankruptcy Rule 9018 sets forth the procedural mechanism for implementing § 107(b) of the Bankruptcy Code and provides that the court, on motion,

may make any order which justice requires (1) to protect the estate or any entity in respect of a trade secret or other confidential research, development, or commercial information, (2) to protect any entity against scandalous or defamatory matter contained in any paper filed in a case under the Code

FED. R. BANKR. P. 9018.

4. While the Bankruptcy Code recognizes the general rule that court records and proceedings should be matters of public record, it also recognizes the rule that the public right to access is not absolute. *See* 11 U.S.C. § 107; *Nixon v. Warner Communications, Inc.*, 435 U.S. 589, 598, 98 S. Ct. 1306, 1312, 55 L. Ed. 2d 570 (1978).

5. The confidential information contained in the Motion is an integral part of the Lender Parties argument and must be filed under seal in order to comply with paragraph 14 of the Order Regarding Confidential Information. Accordingly, the Lender Parties request that this Court enter an order authorizing the Lender Parties to file the Motion under seal.

6. Further, the Lender Parties request that the Motion be kept confidential indefinitely. Local District Court Rule 79.4 states that “all sealed documents will be deemed unsealed 60 days after final disposition of a case.” Pursuant to Rule 79.4, the Lender Parties hereby request that the Motion be kept confidential indefinitely and that it not be deemed to be unsealed 60 days after the final disposition of these bankruptcy proceedings.

PRAYER

The Lender Parties respectfully request that this Court enter an order, a form of which is attached hereto as **Exhibit A**, authorizing the Lender Parties to file the Motion under seal. The Lender Parties also request such other and further relief to which they may be entitled.

Dated: July 15, 2010

Respectfully submitted,

By: Daniel C. Stewart

Daniel C. Stewart, SBT #19206500

Paul E. Heath, SBT #09355050

Richard H. London, SBT #24032678

VINSON & ELKINS LLP

2001 Ross Avenue, Suite 3700

Dallas, TX 75201

Tel: 214.220.7700

Fax: 214.220.7716

dstewart@velaw.com

pheath@velaw.com

rlondon@velaw.com

-and-

Dennis F. Dunne (admitted *pro hac vice*)

**MILBANK, TWEED, HADLEY & MCCLOY
LLP**

1 Chase Manhattan Plaza

New York, NY 10005-1413

Tel.: 212.530.5000

Fax: 212.530.5219

ddunne@milbank.com

-and-

Andrew M. Leblanc (admitted *pro hac vice*)

**MILBANK, TWEED, HADLEY & MCCLOY
LLP**

1850 K Street, N.W., Suite 1100

Washington, DC 20006

Tel.: 202.835.7500

Fax: 202.263.7574

aleblanc@milbank.com

**ATTORNEYS FOR THE AD HOC
GROUP OF FIRST LIEN LENDERS**

By: /s/ Mitchell A. Seider
Mitchell A. Seider, SBT #18000550
LATHAM & WATKINS LLP
885 Third Avenue
New York, NY 10022

-and-

Michael R. "Buzz" Rochelle, SBT #17126700
Scott M. DeWolf, SBT #24009990
ROCHELLE MCCULLOUGH LLP
325 North Saint Paul St., Suite 4500
Dallas, TX 75201

**ATTORNEYS FOR JP MORGAN CHASE
BANK, N.A. AS FIRST LIEN AGENT**

Jennifer C. DeMarco, (admitted *pro hac vice*)
David A. Sullivan, (admitted *pro hac vice*)
CLIFFORD CHANCE US LLP
31 West 52nd Street
New York, New York 10019-6131
Tel: 212.878.8000
Fax: 212.878.8375
jennifer.demarco@cliffordchance.com
david.sullivan@cliffordchance.com

-and-

By: /s/ Holland N. O'Neil
Holland N. O'Neil, SBT #14864700
GARDERE WYNNE SEWELL LLP
1601 Elm Street, Suite 3000
Dallas, Texas 75201
Tel: 214.999.4961
Fax: 214.999.3961
honeil@gardere.com

**ATTORNEYS FOR GSP FINANCE LLC, AS
SECOND LIEN AGENT**

CERTIFICATE OF SERVICE

I hereby certify that on July 15, 2010, true and correct copies of this Motion to File Under Seal were served on the parties receiving electronic notice via the Electronic Court Filing system. Also on July 15, 2010 I caused this Motion to File Under Seal to be served via first class United States mail on the parties identified on the Master Service List, filed on June 24, 2010 as Docket Number 263.

/s/ Paul E. Heath
Paul E. Heath

EXHIBIT A

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION**

In re:	§	
	§	
TEXAS RANGERS BASEBALL PARTNERS	§	Case No. 10-43400 (DML)-11
	§	(Chapter 11)
	§	
Debtor.	§	
	§	

**ORDER GRANTING MOTION FOR ORDER ALLOWING THE LENDER PARTIES
TO FILE UNDER SEAL THE EMERGENCY JOINT MOTION OF LENDER PARTIES
FOR RECONSIDERATION OF COURT'S ORDER ADOPTING BIDDING
PROCEDURES**

This Court has considered the *Motion for Order Allowing the Lender Parties to File Under Seal the Emergency Joint Motion of Lender Parties for Reconsideration of Court's Order Adopting Bidding Procedures* (the "Motion to File Under Seal").² After considering the Motion to File Under Seal, the Court finds that it should be granted. Therefore, it is hereby:

² Capitalized terms used herein, but not defined, shall have the meaning ascribed in the Motion to File Under Seal.

ORDERED that the Motion to File Under Seal is GRANTED pursuant to § 107(b)(1) of the Bankruptcy Code and pursuant to the Order Regarding Confidential Information filed in this case as docket number 348; it is further

ORDERED that the Lender Parties are authorized to file the Motion under seal; it is further

ORDERED that the United States Bankruptcy Clerk for the Northern District of Texas shall accept the Motion for filing and shall file the Motion under seal; it is further

ORDERED that the Motion shall not be deemed unsealed 60 days after the disposition of these bankruptcy proceedings pursuant to LDR 79.4, but shall be returned to the counsel for the Lender Parties at such time; and it is further

ORDERED that the Court shall retain jurisdiction to hear and determine all matters arising from the implementation of this Order.

END OF ORDER